

**THIRTY-FIRST LEGISLATIVE DAY  
WEDNESDAY, FEBRUARY 8, 2006**

FIELD(18), Chairman

House of Representatives

The House convened at 11:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused -- Bradford. Total -- 1.  
Total -- 70.

Prayer was offered by Representative Boe.

The Pledge of Allegiance was led by Catherine Hendrickson, Page.

**Approval of Journal**

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirtieth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

OFFICE OF THE GOVERNOR  
Boise

February 7, 2006

The Honorable Bruce Newcomb  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

**H 404 and H 409**

Very truly yours,  
/s/ DIRK A. KEMPTHORNE  
Governor

**Report of Standing Committees**

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HJM 12, H 558, H 559, H 560, H 561, H 562, H 563, H 564, H 565, H 566, H 567, H 568, H 569, H 570, H 571, H 572, H 573, and H 574.**

**HJM 12 and H 568** were referred to the Agricultural Affairs Committee.

**H 558 and H 559** were referred to the Local Government Committee.

**H 560, H 561, and H 562** were referred to the Transportation and Defense Committee.

**H 563, H 564, H 565, H 566, and H 567** were referred to the Health and Welfare Committee.

**H 569** was referred to the Revenue and Taxation Committee.

**H 570, H 571, H 572, H 573, and H 574** were referred to the State Affairs Committee.

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **H 414, H 415, and H 556** and recommend that they do pass.

DEAL, Chairman

**H 414, H 415, and H 556** were filed for second reading.

February 8, 2006

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 422** and recommend that it do pass.

CROW, Chairman

**H 422** was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

**Motions, Memorials, and Resolutions**

**HOUSE JOINT MEMORIAL NO. 13  
BY EDUCATION COMMITTEE  
A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE UNITED STATES IN CONGRESS ASSEMBLED,  
AND TO THE CONGRESSIONAL DELEGATION  
REPRESENTING THE STATE OF IDAHO IN THE  
CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Fifty-eighth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the goal of the No Child Left Behind Act (NCLB), moving all students to proficiency in reading, language and mathematics by 2014, is laudable; and

WHEREAS, that goal can best be achieved by providing the Idaho kindergarten through twelfth grade public education system the flexibility to capitalize on Idaho's unique resources and population; and

WHEREAS, Idaho has been a national leader in school improvement reform as exemplified by the passage of the Idaho Reading Initiative, the creation of academic standards, the alignment of Idaho public school curricula, and the creation of the Idaho Standards Achievement Test (ISAT); and

WHEREAS, Idaho applauds and supports the implementation and expansion of Secretary Spellings' flexibility framework for new NCLB policy announced April 7, 2005, including the implementation of pilot programs to study use of growth models in calculating Adequate Yearly Progress (AYP); and

WHEREAS, education stakeholders in Idaho are committed to providing the best public education possible for our children; and

WHEREAS, providing a quality education requires that certain aspects of NCLB be further enhanced.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we urge the Congress to support federal legislation that will address the following:

- (1) Correcting difficulties in the calculation of AYP;
- (2) Providing states the flexibility to effectively and efficiently use resources by targeting sanctions to students who actually need assistance;
- (3) Providing states local control over their education systems by allowing waivers to accommodate high-quality state accountability systems, including the use of measures of progress;
- (4) Providing states more individualized measures of success in calculating AYP for students with disabilities and limited English proficient students; and
- (5) Placing funding triggers in the federal program so that the most costly sanctions are not implemented in any year in which Congress does not provide adequate funding to states.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

**HJM 13** was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

#### **HOUSE BILL NO. 575 BY APPROPRIATIONS COMMITTEE AN ACT**

RELATING TO MINES AND MINING BONDS; AMENDING SECTION 47-1513, IDAHO CODE, TO DELETE LANGUAGE THAT PROVIDED ANY UNENCUMBERED AND UNEXPENDED BALANCES IN THE SURFACE MINING RECLAMATION FUND AND THE CYANIDATION

FACILITY CLOSURE FUND REMAINING AT THE END OF A FISCAL YEAR SHALL NOT LAPSE BUT SHALL BE CARRIED FORWARD UNTIL EXPENDED OR MODIFIED BY SUBSEQUENT STATUTE; AND AMENDING SECTION 47-1703, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION AND TO DELETE LANGUAGE THAT PROVIDED ANY UNENCUMBERED AND UNEXPENDED BALANCE OF THE ABANDONED MINE RECLAMATION FUND REMAINING AT THE END OF A FISCAL YEAR SHALL NOT LAPSE BUT SHALL BE CARRIED FORWARD FOR THE PURPOSES OF THE STATUTE ON ABANDONED MINES UNTIL EXPENDED OR UNTIL MODIFIED BY SUBSEQUENT STATUTE.

#### **HOUSE BILL NO. 576 BY RESOURCES AND CONSERVATION COMMITTEE AN ACT**

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-201, IDAHO CODE, TO REVISE FILING REQUIREMENTS RELATING TO WRITTEN NOMINATIONS FOR THE OFFICE OF DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 43-401, IDAHO CODE, TO REVISE PUBLICATION REQUIREMENTS RELATING TO NOTICES OF CERTAIN IRRIGATION DISTRICT ELECTIONS; AND AMENDING SECTION 43-1808, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ELECTIONS INVOLVING THE QUESTION OF A CONTRACT BETWEEN A DISTRICT AND THE UNITED STATES.

#### **HOUSE BILL NO. 577 BY COMMERCE AND HUMAN RESOURCES COMMITTEE AN ACT**

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1349A, IDAHO CODE, TO PROVIDE ADDITIONAL METHODS FOR CHARGING BENEFITS ATTRIBUTABLE TO COST REIMBURSEMENT EMPLOYERS; AMENDING SECTION 72-1366, IDAHO CODE, TO PROVIDE FOR REPAYMENT OF ANY BENEFITS RECEIVED AS A RESULT OF HAVING WILLFULLY MADE A FALSE STATEMENT OR WILLFULLY FAILED TO REPORT A MATERIAL FACT; AMENDING SECTION 9-340C, IDAHO CODE, TO DEFINE EMPLOYMENT SECURITY INFORMATION AND TO PROVIDE THAT THE IDENTITY OF AN INFORMANT WHO REPORTS A SUSPECTED VIOLATION OF THE EMPLOYMENT SECURITY LAW TO THE DEPARTMENT OF COMMERCE AND LABOR UNDER AN ASSURANCE OF CONFIDENTIALITY SHALL NOT BE DISCLOSED; AMENDING SECTION 63-3077A, IDAHO CODE, TO CLARIFY THAT THE STATE TAX COMMISSION AND THE DEPARTMENT OF COMMERCE AND LABOR MAY EXCHANGE CERTAIN INFORMATION AND TO PROVIDE THAT AMOUNTS OWED FOR PENALTY AND INTEREST ON DEBTS OWED TO THE STATE TAX COMMISSION OR THE DEPARTMENT OF COMMERCE AND LABOR MAY BE OFFSET AGAINST REFUNDS OWED TO THE DEBTOR BY EITHER AGENCY AND TO MAKE TECHNICAL

CORRECTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 578**  
**BY COMMERCE AND HUMAN RESOURCES**  
**COMMITTEE**  
AN ACT

RELATING TO THE EMPLOYMENT SECURITY LAW; AMENDING SECTION 72-1347A, IDAHO CODE, TO REVISE CONDITIONS WHEN A RESERVE TAX MAY BE IMPOSED FOR CALENDAR YEAR 2006; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 579**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5109, IDAHO CODE, TO REMOVE LANGUAGE AUTHORIZING THE COUNCIL TO RECEIVE APPLICATIONS AND DISBURSE MONEYS FOR FINANCIAL ASSISTANCE, TO REVISE PROVISIONS APPLICABLE TO COUNCIL'S POWER TO DECERTIFY OFFICERS, TO REVISE THE TIME PERIOD REQUIRED FOR REPORTING CERTAIN ACTIONS TO THE COUNCIL, TO SET FORTH PROVISIONS APPLICABLE TO THE REJECTION OF APPLICATIONS FOR CERTIFICATION, TO DEFINE "CONVICTED" AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-5112, IDAHO CODE, TO DELETE LANGUAGE REFERENCING FINANCIAL AID AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 580**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO FALSE REPORTS OF EXPLOSIVES; AMENDING SECTION 18-3313, IDAHO CODE, TO CLARIFY THAT A PERSON WHO MAKES A FALSE REPORT OF EXPLOSIVES TO AN EMPLOYEE OF A POLICE DEPARTMENT, SHERIFF'S OFFICE OR EMERGENCY DISPATCH CENTER IS GUILTY OF A FELONY.

**HOUSE BILL NO. 581**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO ADOPTION; AMENDING SECTION 16-1514, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE AND TO REVISE PROVISIONS APPLICABLE TO PETITIONS FOR ADOPTIONS OF FOREIGN BORN CHILDREN; AND AMENDING CHAPTER 15, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1514A, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO INTERNATIONAL ADOPTIONS.

**HOUSE BILL NO. 582**

**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE OF INTOXICATING SUBSTANCES; AMENDING SECTION 18-8002, IDAHO CODE, TO REVISE DESCRIPTIVE LANGUAGE, TO PROVIDE FOR A CIVIL PENALTY FOR REFUSAL TO SUBMIT TO EVIDENTIARY TESTING AND TO PROVIDE FOR THE DISTRIBUTION AND COLLECTION OF PENALTY MONEYS.

**HOUSE BILL NO. 583**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
AN ACT

RELATING TO CRIMINAL PROCEDURE; AMENDING CHAPTER 26, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2604A, IDAHO CODE, TO PROVIDE FOR THE EXPUNGEMENT OF THE CRIMINAL RECORDS OF INNOCENT PERSONS.

**HOUSE BILL NO. 584**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO RESIDENTIAL MORTGAGE PRACTICES; AMENDING SECTION 26-3104, IDAHO CODE, TO PROHIBIT CERTAIN UNLICENSED PERSONS FROM ENGAGING IN MORTGAGE BROKERING ACTIVITIES, MORTGAGE LENDING ACTIVITIES OR LOAN ORIGINATION ACTIVITIES; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 585**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO THE DEPARTMENT OF INSURANCE; AMENDING CHAPTER 2, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-232A, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO HEARINGS; AMENDING SECTION 41-308, IDAHO CODE, TO REMOVE REFERENCES TO HEARINGS RELATED TO CERTIFICATES OF AUTHORITY; AND AMENDING SECTION 41-1016, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO REMOVE LANGUAGE REFERENCING HEARINGS, TO REFERENCE VIOLATIONS BY APPLICANTS AND TO REMOVE LANGUAGE REFERENCING NOTIFICATION AND HEARING PROVISIONS RELATING TO THE DENIAL OR REFUSAL TO RENEW A LICENSE FOR AN APPLICANT.

**HOUSE BILL NO. 586**  
**BY BUSINESS COMMITTEE**  
AN ACT

RELATING TO INSURANCE ADMINISTRATORS; AMENDING SECTION 41-913, IDAHO CODE, TO REVISE FEES, TO REVISE EXPIRATION AND RENEWAL PERIODS AND TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 587**

**BY BUSINESS COMMITTEE****AN ACT**

RELATING TO COMMERCIAL TRANSACTIONS; AMENDING SECTION 28-41-201, IDAHO CODE, TO REMOVE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-41-301, IDAHO CODE, TO REVISE THE DEFINITION FOR "REGULATED LENDER," TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-45-401, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO WILLFUL AND KNOWING VIOLATIONS; AMENDING SECTION 28-46-108, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REFERENCE PERSONS REQUIRED TO BE LICENSED FOR PURPOSES OF CERTAIN ADMINISTRATIVE ENFORCEMENT ORDERS; AMENDING SECTION 28-46-113, IDAHO CODE, TO REMOVE LANGUAGE AUTHORIZING THE ADMINISTRATOR TO BRING CERTAIN CIVIL ACTIONS; REPEALING PART 2, CHAPTER 46, TITLE 28, IDAHO CODE, RELATING TO APPLICABILITY, NOTIFICATION AND FEES AND TAXES; AMENDING SECTION 28-46-301, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE AUTHORITY TO MAKE REGULATED CONSUMER LOANS; AMENDING SECTION 28-46-302, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO LICENSES TO MAKE REGULATED CONSUMER LOANS AND TO REVISE AND REMOVE CODE REFERENCES; AMENDING SECTION 28-46-303, IDAHO CODE, TO REFERENCE CONDITIONS EXISTING AT THE TIME OF APPLICATION; AMENDING SECTION 28-46-304, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO RECORDS AND ANNUAL REPORTS; AMENDING SECTION 28-46-305, IDAHO CODE, TO PROVIDE THAT THE ADMINISTRATOR MAY EXAMINE RECORDS, TO PROVIDE REFERENCES TO REGULATED LENDERS AND TO REMOVE LANGUAGE REQUIRING A FEE FOR INVESTIGATION PURPOSES; AMENDING SECTION 28-46-402, IDAHO CODE, TO EXEMPT CERTAIN SUPERVISED FINANCIAL ORGANIZATIONS FROM LICENSING REQUIREMENTS; AMENDING SECTION 28-46-403, IDAHO CODE, TO REMOVE LANGUAGE PROVIDING FOR THE APPROVAL AUTHORITY OF THE ADMINISTRATOR AND TO CLARIFY THE CONTINUING NATURE OF CERTAIN REQUIREMENTS; AMENDING SECTION 28-46-404, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PAYDAY LOAN LICENSE APPLICATIONS; AMENDING SECTION 28-46-407, IDAHO CODE, TO REFERENCE THE FAILURE TO PAY ANY FEES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 588****BY BUSINESS COMMITTEE****AN ACT**

RELATING TO THE POWERS AND DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE; AMENDING SECTION 26-3105, IDAHO CODE, TO AUTHORIZE THE DIRECTOR TO PARTICIPATE IN THE

ESTABLISHMENT AND IMPLEMENTATION OF A MULTISTATE AUTOMATED LICENSING SYSTEM FOR MORTGAGE BROKERS AND LENDERS AND INDIVIDUAL MORTGAGE LOAN ORIGINATORS AND TO REQUIRE CRIMINAL HISTORY RECORD CHECKS.

**HOUSE BILL NO. 589****BY JUDICIARY, RULES, AND ADMINISTRATION  
COMMITTEE****AN ACT**

RELATING TO UNIFORM CONTROLLED SUBSTANCES; AMENDING SECTION 37-2737A, IDAHO CODE, TO REVISE THE PENALTIES APPLICABLE TO THE MANUFACTURE OR DELIVERY OF METHAMPHETAMINE OR AMPHETAMINE WHERE CHILDREN ARE PRESENT.

**HOUSE BILL NO. 590****BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO COUNTY-BASED INTERMODAL COMMERCE AUTHORITIES; AMENDING SECTION 70-2203, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE ESTABLISHMENT AND ABOLISHMENT OF AN AUTHORITY; AMENDING SECTION 70-2204, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO AUTHORITY COMMISSIONERS; AMENDING SECTION 70-2205, IDAHO CODE, TO REVISE THE POWERS OF A GOVERNING BODY OF A COUNTY FOR WHICH AN INTERMODAL AUTHORITY HAS BEEN CREATED AND TO PROVIDE THAT CERTAIN ACTIONS MAY BE TAKEN BY A PUBLIC BODY AFTER A HEARING; AMENDING SECTION 70-2206, IDAHO CODE, TO REVISE THE GENERAL POWERS OF A COUNTY-BASED INTERMODAL COMMERCE AUTHORITY AND TO REVISE TERMINOLOGY; AMENDING SECTION 70-2210, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO PROPERTY AND DISPOSAL OF PROPERTY OF AN INTERMODAL AUTHORITY; AND AMENDING SECTION 70-2211, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO BONDS AND OBLIGATIONS.

**HOUSE BILL NO. 591****BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO THE INVESTMENT OF PERMANENT FUNDS; REPEALING SECTIONS 3 AND 5, CHAPTER 132, LAWS OF 2004, REGARDING THE DEFINITION OF "EARNINGS DEFINED" AND THE EFFECTIVE DATE OF THE ACT; AND AMENDING SECTION 57-724A, IDAHO CODE, TO PROVIDE FOR CALCULATION OF GAINS ACHIEVED BY THE PERMANENT FUND OF EACH ENDOWMENT FUND TO BE INCORPORATED INTO THE CALCULATION OF GAINS AND NOT BE A SEPARATE ITEM OF EARNINGS.

**HOUSE BILL NO. 592****BY STATE AFFAIRS COMMITTEE****AN ACT**

RELATING TO INVESTMENT OF PERMANENT FUNDS; AMENDING SECTION 57-724, IDAHO CODE, TO REVISE THE METHOD FOR THE CALCULATION OF GAINS AND LOSSES; DECLARING AN EMERGENCY, PROVIDING A RETROACTIVE EFFECTIVE DATE AND PROVIDING APPLICATION.

**HOUSE JOINT RESOLUTION NO. 4**  
**BY STATE AFFAIRS COMMITTEE**  
A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE VIII, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO LIMITATIONS ON COUNTY AND MUNICIPAL INDEBTEDNESS, TO ALLOW SCHOOL DISTRICTS TO INCUR INDEBTEDNESS WITH THE ASSENT OF TWO-THIRDS OF THE QUALIFIED ELECTORS OR THE ASSENT OF NO LESS THAN SIXTY PERCENT, RATHER THAN TWO-THIRDS, OF THE QUALIFIED ELECTORS OF THE SCHOOL DISTRICT VOTING AT AN ELECTION HELD FOR THAT PURPOSE IF THE ELECTION IS CONDUCTED UNDER THE ADMINISTRATION OF THE COUNTY AND IS HELD ON THE FIRST TUESDAY IN FEBRUARY, THE FOURTH TUESDAY IN MAY, THE FIRST TUESDAY IN AUGUST, OR THE TUESDAY FOLLOWING THE FIRST MONDAY IN NOVEMBER; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

**H 575, H 576, H 577, H 578, H 579, H 580, H 581, H 582, H 583, H 584, H 585, H 586, H 587, H 588, H 589, H 590, H 591, H 592, and HJR 4** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

**Second Reading of Bills and Joint Resolutions**

**H 517**, by Transportation and Defense Committee, was read the second time by title and filed for third reading.

**H 453, H 454, H 434, H 488, and H 477**, by State Affairs Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**H 451** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Schaefer to open debate.

Pursuant to Rule 38(3), Mr. Martinez disclosed a conflict of

interest regarding **H 451**.

The question being, "Shall **H 451** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **H 451** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**HJM 10** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Roberts to open debate.

The question being, "Shall **HJM 10** be adopted?"

Whereupon the Speaker declared **HJM 10** adopted by voice vote and ordered the memorial transmitted to the Senate.

**HJM 11** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Andrus to open debate.

The question being, "Shall **HJM 11** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Roberts, Rusche, Rydalch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 67.

NAYS -- LeFavour, Ringo. Total -- 2.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **HJM 11** adopted and ordered the memorial transmitted to the Senate.

**S 1329** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **S 1329** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1329** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1330** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1330** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused -- Bradford. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1330** passed the House. Title was approved and the bill was ordered returned to the Senate.

**H 435** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Snodgrass to open debate.

The question being, "Shall **H 435** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, Martinez, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Mr. Speaker. Total -- 61.

NAYS -- Crow, LeFavour, Loertscher, Mathews, Sali, Schaefer, Wood. Total -- 7.

Absent and excused -- Bradford, Garrett. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 435** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 436** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall **H 436** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused -- Bradford, Garrett. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 436** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Denney moved that the House adjourn until 11:30 a.m., Thursday, February 9, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:18 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk